IN THE HIGH COURT OF JUDICATURE FOR
RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

O R D E R

S.B. CIVIL WRIT PETITION NO.9550/2007.

Majeed Khan & Ors.
Vs.
Manohar Lal & Ors.

Date of order : 30/11/2007.

**HON'BLE MR.JUSTICE MOHAMMAD RAFIQ**

Shri Kapil Gupta for the petitioners.

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**BY THE COURT**:-

Heard learned counsel for the petitioners.

2) This writ petition is directed against the order dated 3/10/2007 whereby, the learned executing court has directed deletion of the names of respondents No.5 to 7 from the array of respondents in the execution petition holding that they are not necessary and effective party for the purpose of execution of the decree.

3) Learned counsel for the petitioners has argued that petitioners have purchased the disputed land from the respondents No.5 to 7 therefore, they are necessary and proper parties for the purpose of

execution petition. It is contended that the aforesaid three respondents purchased the land from Harbans Singh who is natural son of Ujagar Singh and therefore he inherited the land in dispute being adopted son of Ujagar Singh, cannot be accepted.

4) Having heard learned counsel for the petitioners and perused the record forming part of this petition, I find that mere deletion of the names of respondents No.5 to 7 would not in any manner prejudice the case of the petitioners because having purchased the land from them by way of sale-deed, they have stepped into their shoes for all practical purposes.

5) I therefore do not any error in the order of the learned executing court.

The writ petition is accordingly dismissed.

**(MOHAMMAD RAFIQ), J.**

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